

REMARKS

The Office Action mailed November 15, 2006 has been carefully considered.
Reconsideration in view of the following remarks is respectfully requested.

Canceled Claims

Claims 15-20 have been canceled without prejudice or disclaimer of the subject matter contained therein.

Rejection(s) Under 35 U.S.C. § 102

Claims 15-20 were rejected under 35 U.S.C. § 102(e) as anticipated by Ellis et al. (U.S. pub. no. 2005/0028208). Claims 15 and 17-20 have been canceled and the rejection thereof is moot.

Rejection(s) Under 35 U.S.C. § 103 (a)

Claims 1-4 and 16 were rejected under 35 U.S.C. § 103(a) as unpatentable over Ellis et al. (U.S. pub. no. 2005/0028208) in view of Yamamoto (U.S. pat. no. 6,169,845). Claim 16 has been canceled.

According to the Manual of Patent Examining Procedure (M.P.E.P.),

To establish a *prima facie* case of obviousness, three basic criteria must be met. First there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in the applicant's disclosure.¹

In rejecting Claims 1-4, the Office Action acknowledges that Ellis fails to explicitly teach a crossbar switching circuit or router circuit having a plurality of input and output (I/O) ports, but

¹ M.P.E.P. § 2143.

proposes to combine the teachings of Yamamoto to remedy this shortcoming. However, Yamamoto is directed to an image recording/reproducing device, and one of ordinary skill in the art would not look to Yamamoto to modify the teachings of Ellis. There is thus no motivation to combine the teachings of these references, and the allegation to the contrary in the Office Action is grounded in impermissible hindsight. Applicants respectfully urge the withdrawal of the rejection under 35 U.S.C. § 103(a) as unpatentable based on Ellis et al. and Yamamoto and the passage of Claims 1-4 and 16 to allowance.

Claims 7-9, 12 and 14 were rejected under 35 U.S.C. § 103(a) as unpatentable over Ellis et al. (U.S. pub. no. 2005/0028208) in view of Isono et al. (U.S. pat. no. 6,216,171). Presumably, this rejection is intended to be based on Ellis *as modified by Yamamoto*, and further in view of Isono, as the body of the rejection in the Office Action makes clear. Therefore the reasoning above with respect to the impropriety of the combination of Ellis and Yamamoto is equally applicable here, and it is urged that Claims 7-9, 12 and 14 are therefore allowable for at least the same reason.

Claims 5-6 were rejected under 35 U.S.C. § 103(a) as unpatentable over Ellis et al. (U.S. pub. no. 2005/0028208) in view of Yamamoto (U.S. pat. no. 6,169,845) and further in view of Billerbeck et al. (U.S. pat. no. 6,844,895). The reasoning above with respect to the impropriety of the combination of Ellis and Yamamoto is equally applicable here, and it is urged that Claims 5-6 are therefore allowable for at least the same reason.

Claims 10-11 and 13 were rejected under 35 U.S.C. § 103(a) as unpatentable over Ellis et al. (U.S. pub. no. 2005/0028208) in view of Isono et al. (U.S. pat. no. 6,216,171) as applied to claim 7 above, and further in view of Tidwell et al. (U.S. pub. no. 2001/0043687). Claims 10-11 and 13 have been canceled and the rejection thereof is moot.

Conclusion


In view of the preceding discussion, Applicants respectfully urge that the claims of the present application define patentable subject matter and should be passed to allowance.

If the Examiner believes that a telephone call would help advance prosecution of the present invention, the Examiner is kindly invited to call the undersigned attorney at the number below.

Please charge any additional required fees, including those necessary to obtain extensions of time to render timely the filing of the instant Amendment and/or Reply to Office Action, or credit any overpayment not otherwise credited, to our deposit account no. 50-1698.

Respectfully submitted,
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